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## GAZETTE.

VOL. VIII--NO. 5.

BUSINESS NOTICES.

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Thankful to the Ultimens of Honoland and the Islands rescrible for their liberial partonage in the past, we hope by true attention to business to merit the same for the future.

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perionce, seen him surpassed either in Europe or the United States. We are therefore greatly indebted for the zeal and spirit with which he has persevered in regulating and tuning our Plance during our stay in this city, and we therefore commend him to the public as possessing a superiority over all others of simi [Signed] A. BISCACCIANIA,
[Signed] Manager Madame States Opera Co.
[CAR. P. GIORZA,
Nusical Director.

Cordage, BOSTON LAID MANILA - Asserted sizes, in bond or duty paid. For sale by BOLLES & CO. reasonable claims of all classes.

IN BANCO.

This case comes up on appeal from the Police Justice of Honolula.

An action for money had and received was brought against the defendant, for money received by him from the plaintiff on account of premium on application for a policy of insurance on the life of said plaintiff, to the " Mutual Life Insurance Company of New York," and the Police authority, as alleged by the plaintiff, in giving receipt for the money paid by him, the remedy would be, action on the case, and not assumpsit for money had and received, and on this ground the nonsuit was entered.

When one has received the money of another and has not the right to retain it, the law implies that he will pay it over. Indebitatus Assumpait, the use of the plaintiff, is the proper form of action for money so received. This is a general principle of law, and the statute does not conflict

In addition, the statute does not require rigid forms of plending in the Courts not of record, for amendments can be made at any stage of the proceedings when the justice of the case requires it. We are of opinion, therefore, that the Police Magistrate erred in ordering a Non Suit.

The second ground of nonsuit was, that the action should have been brought against the "New York Mutual Life Insurance Company," and not against the present defendant, he being only an agent of said company. The Court are not satisfied from the case as presented, that the agent acted within the authority as given him by the company. If he exceeded it, he is of course liable, unless it should be proved that his acts were are the standing proof to the contrary, recognized by the company, and without deceit or detriment to the plaintiff.

rangements they denounce. Would it In view of all the circumstances of the case we deem it our duty to set aside the nonsuit and order the case back to the Police Magistrate for

ELISHA H. ALLEN, Chief Justice. I concur with the decision of the Chief Justice: ALFRED S. HARTWELL, Justice. H. A. WIDEMANN, Justice.

The International Society, (From the London Times, Oct. 27.) We place before the public elsewhere a trust-worthy account of the origin, pritciples, and present aims of the now notorious International Working Men's labor. It is a most proper subject of dis- 8,000,000. Association. The most prominent reflection suggested to the reader will probably be one of perplexity at such an extraordinary medley of sense and folly, which the Association has in hand. But long and terrible Roman wars, the invapractical aims and visionary utopias, did it never occur to the members-at all sions by the barbarians, the Moorish coneconomical ends and the most extrava- events to the English Delegates—that in quest, the long war which finally led to that each man at his death shall receive agant political means. Looming through order to attain such humane ends it was the expulsion of the Moors, the horrors of his investment—with what it has earned a mist of long words we seem to see the not necessary to re-establish Poland or to the Inquisition, the wars of the subsequent simple stirrings of a natural ambition to confiscate the land? Do they live so en- centuries, the unprecented drain caused by assert a more definite place in the great | tirely in a dream as not to be aware that | the conquest and civilization of America, world of national and international action; by the simple and harmless methods al- and the prostration produced by enormous but, like children grasping at a light, ready prevailing in England, the State taxation and the loss of the colonies on these new politicians stretch beyond it has been induced to interfere for such which so much dependence had been into darkness, and grope amid distant purposes, and that the greater part of the placed. The facts seem to show that no confusion for objects close at their feet. work has been done by some of those matter how great a pitch of prosperity If the writers of some of these maifestos "monopolizers of the sources of life" and population a country may attain, it could but be a little more moderate and whom they wish to eliminate from so- may be reduced to the depths of adveraccurate in their language, they would eiety? We do not, for our part, pretend sity, and its population wasted away by a express opinions and aspirations which to say what may be the most perfect form long course of war, rapine, persecution, they have, at all events, a perfect right to of society possible, but we are quite sure foreign colonization, and misgovernment. entertain. At the bottom of all these that when the most glaring grievances It will be observed that if the estimate mysterious attempts at the renovation of can be quietly redressed by existing first given above of the Spanish populasociety lies the simple fact that the im- means, it would be madness to risk a gen- tion before the Roman conquest be corprovement in the conditions of life which eral overthrow for the chance of something rect, it was about equal to that of the has been gradually spreading downwards better coming out of the scramble. Sim- whole vast Russian Empire. Such a denfor centuries has now in no slight degree | ilarly, we are a little perplexed to under- sity does not exist anywhere in Europe at reached the working class, that the destand what is meant by "the economical the present day, but there can be no velopments of science and the extension emancipation of the working classes." If doubt that it did exist in Italy under the of trade have conferred on them a measure it be not intended that each man is to be Roman Empire for a long time. This is of wealth, of leisure, and of intelligence rendered self-sufficient, it is clear all must by no means impossible. Spain has always which at once qualifies and incites them be more or less dependent on others, and, been a fertile and productive country, and to take a more prominent part in politics, whatever form the mode of employment could easily support a very large populaand to assert their influence more directly assumes, there must be employers. But tion, and doubtless that constituted the in legislation and policy. We witness if it be meant that the working man is chief attraction for successive conquerors. but a further step in the process by which, not to be at the mercy of capitalists in Under the Moorish Kings of Cordoin this country at least, power has always respect to the wages of his labor, we va, there were twelve hundred villages followed in the track of wealth and think it is not necessary to go so far as on the banks of the Guadalquiver, where knowledge, and by which class after class Poland to obtain such a result. At this now only about two hundred can be has asserted its special influence and in- moment, in this "plethoric" country, the found. This ruin was indisputably proterests in the government of the country. attention of the Legislature will be largely duced by the Inquisition, which, besides If Mr. Odger would not complete his engaged next session with a Bill for pro- the deaths it caused that were numbered proposition in such terribly hard words, tecting miners and other workmen from by thousands, led others to emigrate to nothing could be more reasonable than the system of truck, and from other ex- distant countries. Spain was made a Rohis invitation to the Working Men "to cesses of power. If the ultimate and man Catholic region at a fearful cost. The bring their reason and moral right to substantial aims of the Associatian were, industries peculiar to the original Spanish bear with becoming dignity" on the or are, mainly political, this criticism falls population had perished long before, and policy of Rulers and the legislation of to the ground. But we are repeatedly the persecution carried on by the Inquisi-Parliaments. Men who realize the im- assured of the contrary. The Declaration tion crushed the civilization introduced possibility of paternal administration will of Principles asserts that the "economical by the Moors, so that Spain was left poor rejoice at nothing so much as at the pros- emancipation of the working classes is indeed. pect of the great body of the people the great end to which every political Of late years, the Peninsula has shown acquiring the capacity and the power to movement ought to be subordinate as a unmistakable symptoms of recuperation, speak for themselves, to explain their means." If so, it is apparent that the having increased in population from 11, own wants, and secure an adequate atten- leaders of the movement are sacrificing a 000,000 in 1850 to 17,000,000 in 1870, tion to their interests. If any one is dis- good bird in the hand for the chance of mainly because the government has, under turbed at this process abroad, we can retwo in the bush. assure him by our experience in this Unhappily, it is not every nation which vation of home industry. In former eras country. It is the way we have got on possesses that safety-valve for these as- the taxation rendered necessary by wars from the beginning, and we have wel- pirations which insures the steady progress of an extended character, weighed heavily

comed the recent extension of the suffrage of this country. It is instructive to notice upon all the productive forces of the kingto the working class as the natural de that at a critical moment in the history of dom, and the discouragement was general. velopment of our institutions. We listen, the Association, the English members are A similar result ensued in Italy under some formidable army. The States of Aguartherefore, to all this declamation with a far more concerned to obtain the suffrage of the emperors, in consequence of the ex- calientes, Durango, Zacateras and Consatisfied confidence that in the sober light at home than to complete an International treme pressure of taxation rendered nec- huilla have also pronounced, and are movof day, and corrected by the reflections organization. But it is easy to under essary by constant war. But few counting in the revolutionary cause. Smaller of a multitude of minds, it will resolve stand that where there are no stable tries have ever suffered under such a comitself into a recognition of our old- institutions in which classes may meet plication of troubles, continued for so long the States. Governors are resigning, and fashioned, just, and patient method of and find their level, a combination to a series of centuries, as Spain. Italy found general alarm prevails everywhere. Disredressing grievances, and satisfying the procure even such simple ends as we have no refuge from her afflictions in exile, and affections exist in the army, and generals In fact, nothing is more surprising in For this reason, among others, we regret country has remained strong and prosper joining the revolutionists. The other offithis recital than that the Working Men | the attempt to associate our English work- ons. who are dreaming these dreams should ing classes with men who have often The one lesson that stands conspicuous is almost paralyzed. The treasury is bank not see that they are themselves refuting neither the means nor the idea of working above all others in this Spanish record is, rupt, and the people are going over to the

Supreme Court, Jan. Term, 1872. their enormous scheme of the old folly of and peaceful methods which are effectual killing the goose that laid the golden among ourselves. The English leaders of eggs. "Through the want of professional this movement will weaken their power education," they tell us, "man is no more over their own class, besides damaging than a mechanical agent, and free trade, their influence with all classes, by making without the solidarity of laborers, will en- themselves the preachers of a Polish war, gender industrial serfdom more implacable and proposing a universal Revolution. and more fatal to humanity than that We make allowance for the enthusiasm which our fathers overthrew in the great which, at the outset of a political career, days of our Revolution," Is it mechanical magnifies objects and exaggerates means. agents and uneducated serfs who are ad- But there are a few elements in the caldressing this kind of language to us? Is culation which escape the straining gaze Justice ruled that if the agent exceeded his it a process of degradation or one of im- of these visionaries. One would think, provement which has rendered it possible to read through this narrative, that the for men laboring with their hands to form whole world was divided between a few an international organization, to compose capitalists and land-owners on one side, elaborate manifestos, to interpret for and the working classes on the other, and each other, and to plan, however errone- we are at a loss to discover what place ously, large schemes of European policy? will be left in the future millenium of We invite these gentlemen to look back labor for those professional and commerfor money had and received by the defendant, to some fifty years, and to ask themselves cial classes, who count for something in where were the men, the machinery, the the constitution of society. English life railroads, the books, and the newspapers is founded on too solid a base to be overwhich have rendered these efforts possible. thrown in the interest of any single class, By their own account it is but forty years But all classes are now anxious, beyond since the very idea was conceivable, and all other things, to do all that can be done to what do they owe its realization but to by wise legislation for the very ends prothat capital, that division of labor, and posed by the International Association, so that free trade which they denounce? If far as they are practical, If Mr. Odger they will show us what other means have and his friends would scenre the benefits done the work, they will have something which are within their power in England, more to say for themselves; but when they would afford a guidance to their they assert, as the starting point of their friends abroad which would do far more inaugural address, that "the misery of to help them out of their confusion than the masses has not diminished" during those "pet plans of clever thinkers" which the immense development of industry and they begin by distrusting, and end by

\$6.00 PER YEAR.

National Decay.

commerce of recent years, they themselves adopting.

and are the vindication of the social ar-

Some interesting statements respecting not be well to ask whether it be prudent the population of Spain at various periods, to throw away agencies which have al- ancient and modern, have recently been ready produced such extraordinary bene- published, which trace its gradual decline fits for the sake of making a fresh start from an extraordinary height to a point with utterly untried means? When we indicative of decay. Some accounts ascome to ask more definitely what is want- sert that before the Roman conquest Spain ed, we are once more astonished at the had nearly 80,000,000 of people, and that strange blindness which overlooks facili- at the time of Julius Cæsar the total was ties ready to hand and snatches at some 52,000,000, though others make it 40,000,visionary future. It appears that the 000. A careful census, made in the time Congress of Geneva, which supplies the of Ferdinand and Isabella, showed a poplast starting point of the Association, was ulation of 20,000,000, but it had declined in great part occupied with such matters so rapidly by 1688 that it was then only as the protection of female and javenile 12,000,000, and in 1700 it had fallen to

cussion, and good service might, no doubt. There can be no difficulty in accountbe done by those inquiries into the cir- ing for this amazing decline, when we recumstances of labor throughout Europe call the events of Spanish history-the

all vicissitudes, devoted itself to the cultidiscussed may become a political danger. therefore her population survived, and the and colonels, with their commands, are

their own denunciations, and convicting out their "emancipation" by those safe that peace is the true secret of a nation's revolutionists.

## Hawaiian Gazetie

RATES OF ADVERTISING. Space Measured in 1 w. 1 m. 2 m. 2 m. 6 m. 12 m.

prosperity, and that war is its greatest foe. Spain was at one time the greatest empire in the civilized world, and dominated both Europe and America with the same strong power. But wars of aggression and conquest proved as much of a drain upon her resources as wars of invasion had done previously. The wars of Charles the Fifth were a terrible trial upon the resources of Spain, happening at the same time with the great emigration to America. No nation can for a long period engage in such contests without either overloading its own people with taxation or levying enormous fines upon the conquered nations, as was done by Rome and afterward by Napoleon, and now by Ger-

In our own case we clearly see how much we have lost by the ravages of four years of civil war, and there can be no question that if we had as much of it as Mexico suffers under, our progress would be no greater than hers. As regards the blighting effects of religious intelerance and persecution, the lesson of Spanish history speaks trumpet-tongued. And yet there are scarcely any of the Roman Catholic journals or magazines issued in this free Republic that does not defend the most extreme tenets of ultra-montanism, and oppose all efforts to spread liberal institutions in the Catholic countries of Europe. It is very true that all religious have a spice of intolerance about them whenever they are in power sufficiently to bring it out. But, taking things as we find them, there seems to be no reason to apprehend peril from the ascendancy of Protestantism at present, however there may have been in the past. Let us hope the day may not be far distant when we may be able to say the same of the Latin, Greek and all other Churches, for there can be no worse foe of all true religion than intolerance.-Phila. North American,

LIFE Insurance Companies are among the most remarkable institutions of our day. The extent of their operations is amazing. The ability with which they are managed astonishes the most skillful financiers. Many good people have objected to employing them, as though it were distrusting Providence. Yet it is no more so than is investing money in land or stocks, in which the whole sum required is not demanded at once. A thousand men agree to put a thousand dollars a piece into a " A Life Insurance Company" on certain conditions. First, or lost-for his family. Second, that as all the money is not immediately required, he need only pay a certain per centage annually. Now the tables of life statistics are so exact, that it is possible to infer exactly how many of the depositors will die annually. The calculations of amount required will be such that the million of dollars demanded will be paul in; together with enough to cover expenses, and establish a permanent fund. There is no hazard or distrust of Providence in the transaction. The only danger is that a man may be tempted to inyest more than he can afford, in the same way that men sometimes purchase more land than they can pay for.

THE BENEFIT OF WORK,-Some good people try to bring up their children so exquisitely that when the children go out for themselves they have no self-control, and are immediately bankrupt. Let children make mistakes and learn by their mistakes. Just in proportion as a child is worth anything he is full of force, and it must have an outlet. The damnation of thousands of young men is in bringing the full fresh power of youth to the city, with no work for an ontlot. They soon find something to do. O, the slaughter of young men! My heart is sick and heavy. Occupation-work that uses you, that fills you, is your salvation. There is nothing more dangerous than an educated community with nothing to do. There are thousands of educated men who do not work. No doubt God intended that men and women should marry. But in the inequalities of the present condition of society many women cannot be married. If these women are in feeble health, or have little force, there is not much trouble; but I don't wonder that the hold, engine like natures, fret in their limits and detest. life, or that the great hearts dash themselves out in waste. There must be cutlet for these immense forces, or society will go on getting worse and worse to the

Mexico never was in such an unsettled condition. The State of Oaxaca has pronounced in favor of the revolutionists, and cers are disaffected and the Government